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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,114	03/08/2001	Daniel Mattias Larsson	600189.95	5582
61834	7590	01/08/2008		
DREIER LLP 499 PARK AVE NEW YORK, NY 10022			EXAMINER LEROUX, ETIENNE PIERRE	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 01/08/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/802,114

Applicant(s)

LARSSON ET AL.

Examiner

Etienne P LeRoux

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2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/15/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-9,12-14 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-9,12-14 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Claim Status

Claims 1-3, 6-9, 12-14 and 17-20 are pending. Claims 4, 5, 10, 11, 15, 16, 21 and 22 have been cancelled. Claims 1-3, 6-9, 12-14 and 17-20 are rejected as detailed below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-9, 12-14 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,643,641 (Snyder), hereafter Snyder in view of Pub No US 2002/0078043 (Pass et al), hereafter Pass and further in view of US Pat No 6,466,901 (Loofbourrow), hereafter Loofbourrow.

Claims 1, 7, 12 and 18:

Snyder discloses:

parsing a set of pages for a plurality of text indexable elements [Snyder: web crawler 60 indexes or generates descriptors that characterize text data Fig 1, col 8, lines 35-40, selectively identify a single web page is interpreted as parsing]

Snyder discloses the elements of the claimed invention as noted above but does not disclose parsing a set of pages from a plurality of non-text indexable elements. Pass discloses parsing a set of pages from a plurality of non-text indexable elements [para. 75, creating an index

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of the joint features]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Snyder to include above limitation for the purpose of searching images [Pass, para. 76]

The combination of Snyder and Pass discloses the elements of the claimed invention as noted above but does not disclose assigning a location identifier to one or more of the plurality of text and non-text indexable elements, the location identifier corresponding to a location of a given text and non-text indexable element in a given page from the set of pages. Loofbourrow discloses assigning a location identifier to one or more of the plurality of text and non-text indexable elements, the location identifier corresponding to a location of a given text and non-text indexable element in a given page from the set of pages [index specifies location of the word token within the document [col 8, lines 25-35]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify above combination of references to include above limitation as taught by Loofbourrow for the purpose of indexing documents such that they can be searched for relevant content [col 8, lines 35-40]

The combination of Snyder, Pass and Loofbourrow discloses storing the plurality of text indexable elements and the corresponding location identifier for the one or more of the plurality of text and non-text indexable elements in a computer readable medium as a plurality of records [Snyder: database 62, Fig 1, Buffer memory 92, Fig 1, col 9, lines 55-60, col 8, lines 45-55]

The combination of Snyder, Pass and Loofbourrow discloses receiving the search query to request a stored record, the search query received from a user across a networked connection [Snyder, col 8, lines 55-56, URL addresses 82]

The combination of Snyder, Pass and Loofbourrow discloses searching said plurality of records to determine text and non-text indexable elements that correspond to the search query [Snyder, col 8, lines 50-55, search engine portal or processor 78, responds to user submitted search criteria]

The combination of Snyder, Pass and Loofbourrow discloses transmitting at least one text element representation of said query result to a user across the networked connection [Snyder, col 8, lines 45-55]

The combination of Snyder, Pass Loofbourrow discloses transmitting at least one non-text element representation of said query result to said user across the networked connection [Pass, Fig 9, step 960]

Claims 2, 8, 13 and 19:

The combination of Snyder, Pass and Loofbourrow discloses wherein the object comprises an image [Pass; title]

Claims 3, 9, 14 and 20:

The combination of Snyder, Pass and Loofbourrow discloses wherein the record comprises a Web page [Pass; paragraph 65, col 9, lines 5-55]

Claims 6 and 17:

The combination of Snyder, Pass and Loofbourrow discloses wherein the object comprises a sound file [Pass; paragraph 66]

Response to Arguments

Applicant's arguments filed 11/15/2007 have been fully considered but are moot due to above new grounds of rejection which are required because applicant amended the claims. Nevertheless, examiner addresses the following statement by applicant which is erroneous

Applicant Argues

Applicant states in the third paragraph of page 7:
As the examiner recognizes and admits, Snyder does not teach or suggest the elements of "parsing a set of pages for a plurality of text and non-text indexable elements."

Examiner Responds

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In above Office Action, Snyder is cited as rendering "parsing a set of pages for a plurality of text and non-text indexable elements."

Furthermore, considering the disclosure of Pass in details, examiner notes the applicant fails to point to the specification for a specific and deliberate definition of "parsing." Examiner will thus interpret "parsing" in its broadest and reasonable interpretation consistent with the specification and according to what is well-known in the art.

The Microsoft Computer Dictionary, Fifth Edition defines "parsing" as *to break into smaller chunks so that a program can act upon the information.*

The specification does not (emphasis added) provide a specific and deliberate definition but merely provides an example of what can be done by “parsing” The third paragraph of the specification states:

The search engine assists users to identify pages of interest among the millions of pages which are available on the Web. The search engine 140 parses the pages 200, indexes the parsed pages, searches the index 70 and presents users with information about the pages 200 located.

Pass discloses the following:

Detail Description Paragraph:

[0075] Indexing images for use in a searchable and/or inverted index may include receiving an image, computing a joint histogram that includes a set of joint features for the image, and creating an index of the joint features and/or weights within the joint histogram using an index methodology. Typically, the index is searchable.

Clearly, Pass renders the claimed “parsing a set of pages for a plurality of text and non-text indexable elements” because Pass breaks down the text and non-text elements into smaller chunks so that a program can act upon the information to produce indexable elements.

Furthermore, the newly introduced prior art, i.e., Loofbourrow discloses the following:

Brief Summary Text (6):

Before a string of text from a document or other source of information can be indexed, it must be parsed into individual words. Preferably, the separated words are further processed to expedite the search and retrieval function. The process of separating a text string into individual words is known as tokenization. As a first step, the text is parsed into word tokens. A word token may or may not be a recognized word, i.e., a word which appears in a dictionary. After the word tokens

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have been identified, they are processed to eliminate those which do not serve as useful search terms.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-1800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

12/31/2007



ETIENNE LEROUX
PRIMARY EXAMINER